



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 18, 2005	CONTACT/PHONE Michael Conger (805) 781-5136	APPLICANT Greg Albright	FILE NO. COAL 05-0276 SUB2005-00041				
SUBJECT Request by Greg Albright for a Lot Line Adjustment to adjust the lines between two parcels of 5,000 square feet each. The adjustment will result in two lots of 5,000 square feet each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Single Family land use category and is located at 2290 Holden Avenue and 1454 23 rd Street, on the southwest corner of Holden Avenue and 23 rd Street in the community of Oceano. The site is in the San Luis Bay (Inland) planning area.							
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 05-0276 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.							
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption was issued on October 13, 2005							
LAND USE CATEGORY Residential Single Family (RSF)	COMBINING DESIGNATION Airport Review Area (AR)	ASSESSOR PARCEL NUMBER 062-068-029, 030	SUPERVISOR DISTRICT(S) 4				
PLANNING AREA STANDARDS: Oceano Specific Plan Compliance; Curb, Gutter, and Sidewalks; Airport Review Area;							
LAND USE ORDINANCE STANDARDS: Minimum Site Area, Airport Review Area							
EXISTING USES: Nonconforming Duplex							
SURROUNDING LAND USE CATEGORIES AND USES: <table style="width: 100%; border: none;"><tr><td style="width: 50%; vertical-align: top;"><i>North:</i> Residential Single Family / residential</td><td style="width: 50%; vertical-align: top;"><i>East:</i> Residential Single Family / residential</td></tr><tr><td style="vertical-align: top;"><i>South:</i> Residential Single Family / residential</td><td style="vertical-align: top;"><i>West:</i> Residential Single Family / residential</td></tr></table>				<i>North:</i> Residential Single Family / residential	<i>East:</i> Residential Single Family / residential	<i>South:</i> Residential Single Family / residential	<i>West:</i> Residential Single Family / residential
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<i>South:</i> Residential Single Family / residential	<i>West:</i> Residential Single Family / residential						
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Oceano/Halcyon Advisory Committee, Public Works, Environmental Health, Oceano Community Services District, ALUC							
TOPOGRAPHY: Level		VEGETATION: Ornamental					
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Oceano CSD Fire		ACCEPTANCE DATE: October 13, 2005					
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>							

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two (2) legal parcels as follows:

EXISTING LOT SIZES (SQFT)	ADJUSTED PARCEL SIZES (SQFT)
5,000	5,000
5,000	5,000

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to face Holden Avenue instead of 23rd Street. The proposed adjustment would not alter the size of the parcels, thus resulting in an equal situation in terms of parcel size. Additionally the proposed lot line adjustment will help to address drainage issues that have resulted from the property being lower in elevation than 23rd Street, by allowing both parcels to take access off of Holden Avenue.

PLANNING AREA STANDARDS:

Oceano Specific Plan – The Oceano Specific Plan states that subdivision design should integrate with the existing neighborhood. The proposed lot line adjustment will result in a parcel configuration that is consistent with neighboring parcels (100 feet deep with 50 feet of frontage on Holden Avenue).

Curb, Gutter, and Sidewalk – Curbs, gutters, and sidewalks are required in the Residential Single Family land use category at such a time when more than 25% of an existing structure is demolished and replaced, or when the value of any new structure exceeds 25% of the total of all improvements on site. The applicant has proposed to demolish the existing structure on the site prior to the finalization of the lot line adjustment. The requirement for curbs, gutters, and sidewalks will be triggered at the time of subsequent development. The applicant has proposed to install curbs, gutters, and sidewalks at that time.

Airport Review Area – The proposed project is located within the Airport Review Area. The project was referred to the Airport Land Use Commission to determine consistency with the Oceano County Airport Land Use Plan. The Airport Land Use Commission had no comments on the project.

SB 497:

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.

STAFF COMMENTS:

The subject site is served by community water (Oceano Community Services District). The submitted site plan shows a well located on the site. Environmental Health has requested that the well be destroyed if not in use, and that a backflow prevention device be installed. The applicant stated in a letter dated September 13, 2005 that the well is no longer in use and has been destroyed. As no development is proposed at this time, the request for the backflow prevention device will be addressed at the time that new development occurs.

LEGAL LOT STATUS:

The two (2) lots were legally created by a recorded map, La Verne Addition to the Town of Oceano, recorded May 8, 1925 (Book 3, Page 56 of Maps).

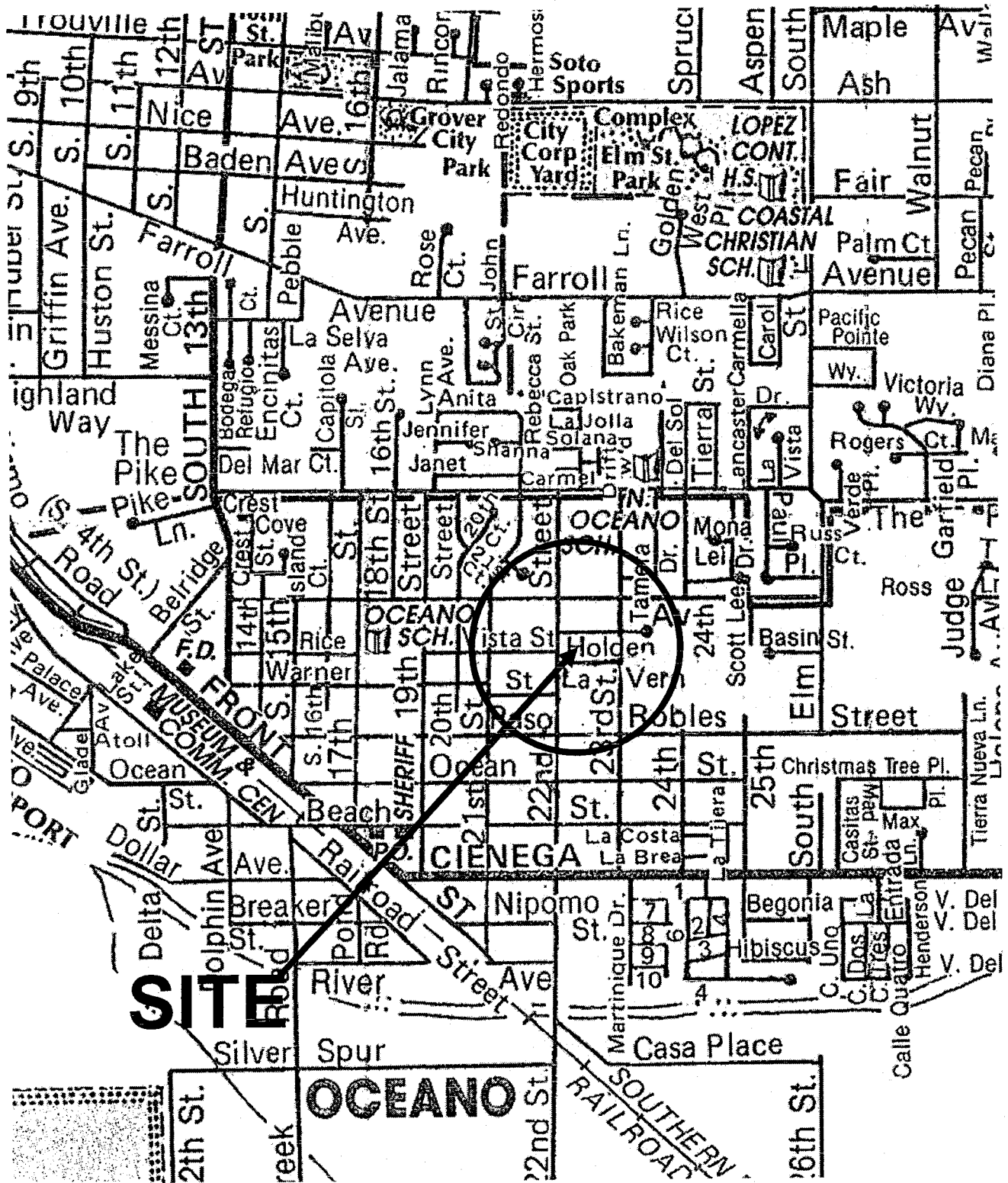
FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the proposed adjustment conforms to the County's General Plan, the Oceano Specific Plan, and the zoning and building ordinances, and the proposed configuration results in a situation that is better than or equal to the existing configuration.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15305 because the proposed project is a minor alteration of land limitations not resulting in the creation of new lots, in an area of with an average slope of less than 20%.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action
10. The existing residential structure and all ancillary structures on the site shall be removed or brought into conformance with the Land Use Ordinance prior to the recordation of the map or certificates of compliance which effectuate the adjustment.

Staff report prepared by Michael Conger and reviewed by Kami Griffin.



PROJECT

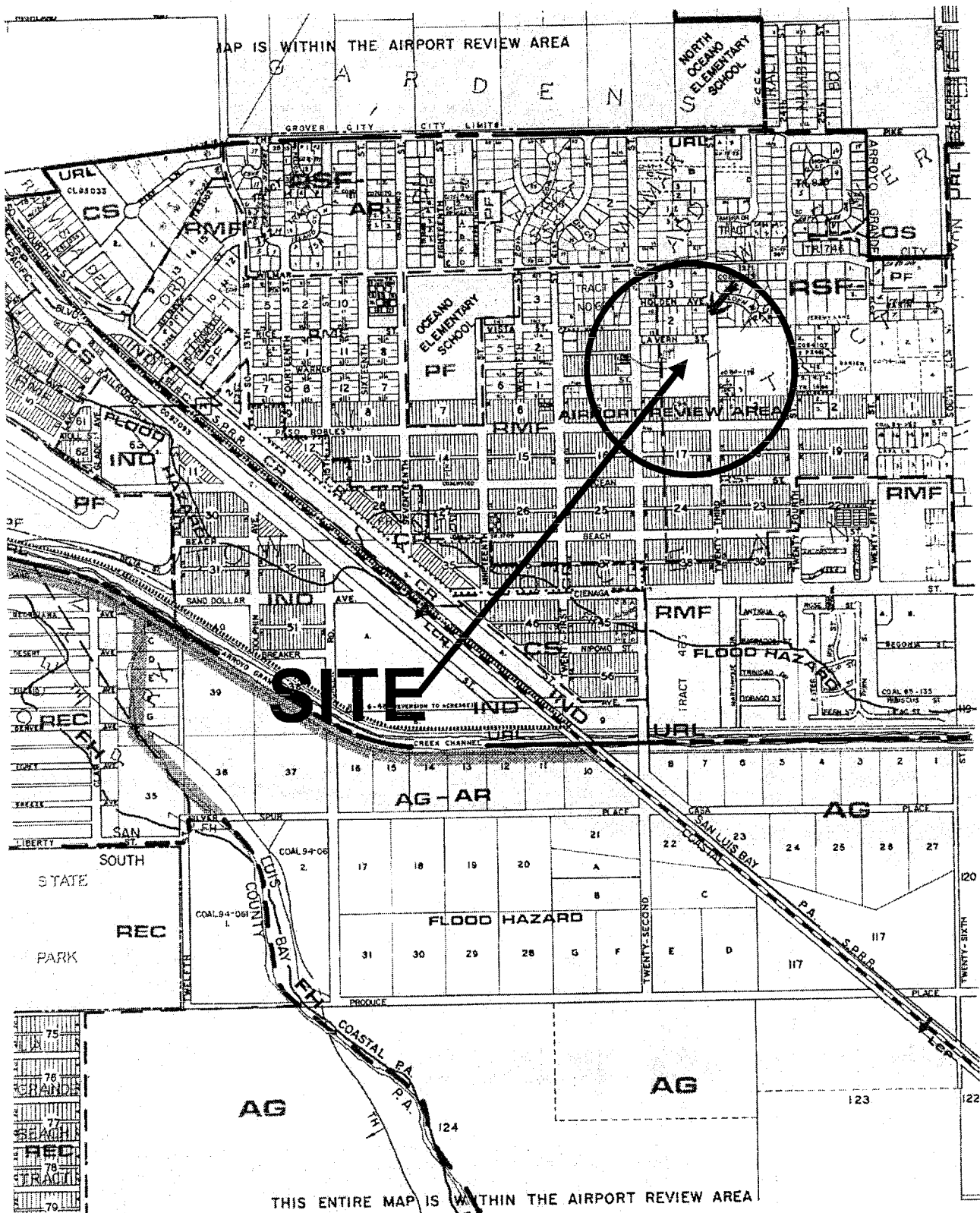
Lot Line Adjustment
ALBRIGHT SUB2005-00041



EXHIBIT

Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



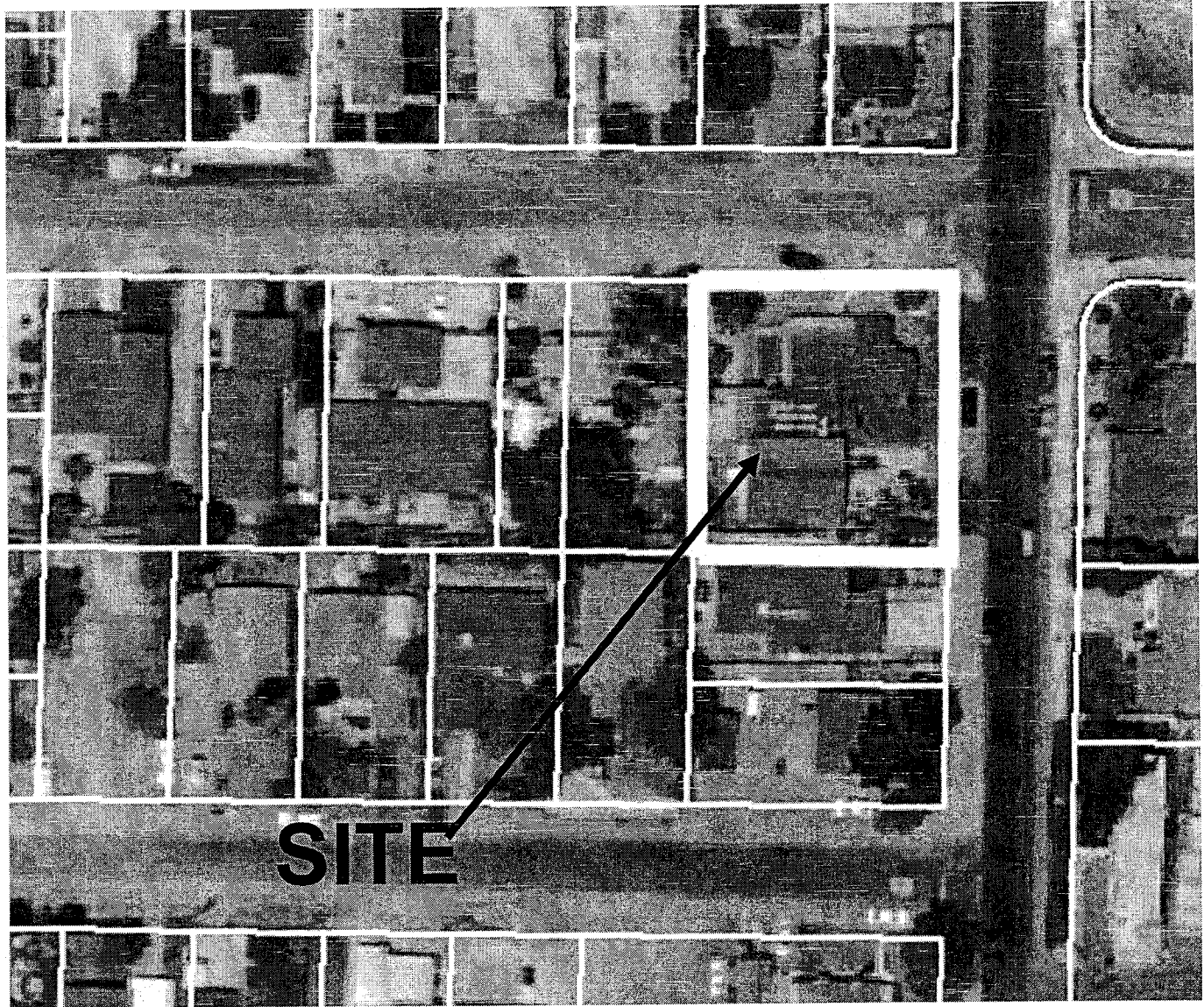
PROJECT

Lot Line Adjustment
ALBRIGHT SUB2005-00041



EXHIBIT

Land Use Category



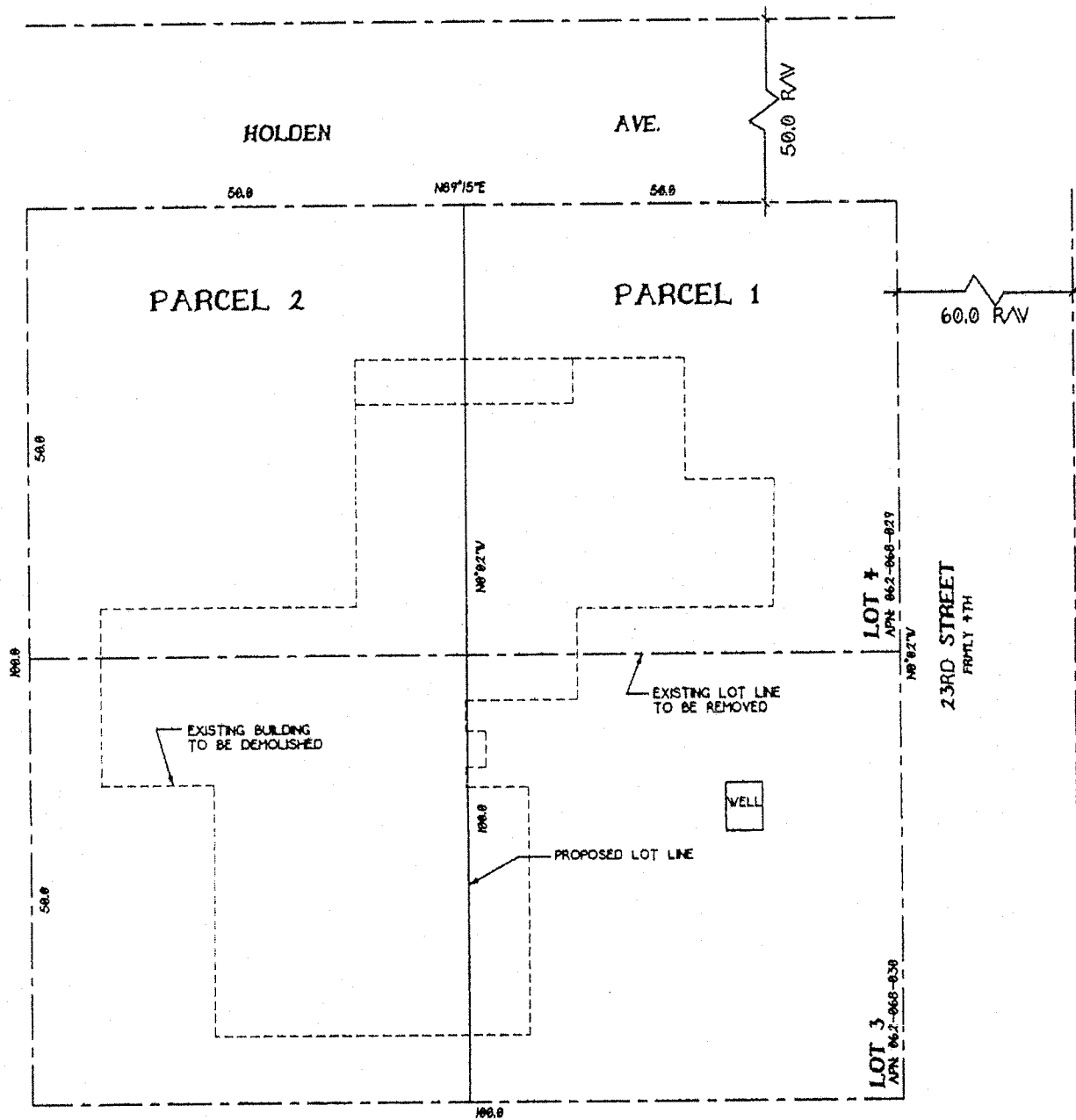
PROJECT

Lot Line Adjustment
ALBRIGHT SUB2005-00041



EXHIBIT

Aerial Photograph



PROJECT

Lot Line Adjustment
ALBRIGHT SUB2005-00041



EXHIBIT

Site Plan



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

AUG 12 2005

THIS IS A NEW PROJECT REFERRAL

DATE:

8/11/05

FROM

PW

FROM
TO

South Co. Team

(Please direct response to the above)

Albright / COAL 05-0276

SUB 2005-06041

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-
BOARD FOR THE PLANNER

PROJECT DESCRIPTION:

Lot line adjustment COAL 05-0276.
Located on 2 5,000 sf. lots off Holden Ave. & 23rd
St. in Oceano. APNs: 062-068-029 & 030.

Return this letter with your comments attached no later than:

8/26/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Recommend Approval — No concerns with proposal —
No Title Report in Referral package.

09 Sep 2005
Date

Goodwin
Name

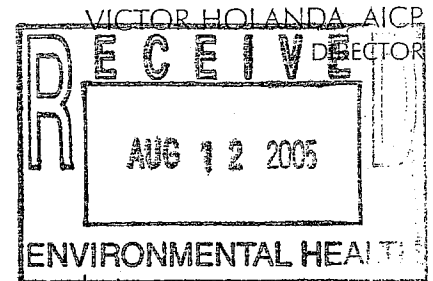
5252
Phone



MTC

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL



DATE: 8/11/05

TO: Env. Health

FROM: South Co. Team
(Please direct response to the above)

Albright / COAL 05-0276

SUB 2005-06041
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNERS

PROJECT DESCRIPTION: Lot line adjustment COAL 05-0276.
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PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
 _____ YES
 _____ NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
 _____ NO (Please go on to Part III)
 _____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

No concerns about adjusting the parcel lines. Please have applicant
provide evidence of a back flow prevention device installed at the
meter for proposed parcel 1 since the exhibit shows an existing
on-site well. If not being used the well should be destroyed.

8/24/05 Lance Salo 781-5551
Date Name Phone

